

Chairman Darrell Sanderson called the meeting to order.
Recording Secretary Dianna Rogers called the roll.

Members Present: Keith Lee
Bob Mason
Annie Metcalf
Charles Stewart
Patti Cross
Sherron Jackson
David Garnett
Dwayne Cook
Charles Booe
Darrell Sanderson (10)

Member Absent: Joel Schrader (1)

There being a quorum, the meeting proceeded.

A motion was made by Mr. Mason to approve the minutes of the meeting of November 9, 2006. The motion was seconded by Mr. Garnett and carried unanimously.

A motion was made by Mr. Lee to approve the following bills for payment:

Dawn McDonald – Show Fee/PC – 10/06	\$ 50.00
Anna Carpenter – BZA Secretarial/11/06	150.00
Dianna Rogers- PC Sec: 11/9 & 11/30	600.00
State Journal – Advertising	374.04
Edwin Logan – PC/Nov - \$700	
Edwin Logan – BZA/Nov - \$550	1,250.00

The motion was seconded by Mr. Mason and carried unanimously.

There were no Reports of Officers, Standing Committees or Special Select Committees.

Under Staff Items, Mr. Gary Muller, City Planning Director, stated the meeting for January would be January 18th. He added there would be a Community Facilities meeting on January 4 at 5:30 at KSU in the Cooperative Extension Building.

Under Special Orders, Mr. David Garnett recognized Vickie Sewell, County Planning Director; Dianna Rogers, City Planning & Building Codes Department; and Robert Mason, Planning Commission Member, for their years of service to the Commission. A plaque was presented to Ms. Rogers and Mr. Mason. Ms. Sewell could not be present and will receive a plaque at a later date. A motion of recognition

was made by Mr. Garnett for the three. The motion was seconded by Mr. Jackson and carried unanimously.

The first item of business was a continuation of a public hearing request from Susan Caudle, et al, for approval of a zone map amendment from Rural Residential (RR) to Rural Residential "B" Density for a 32.68 acre parcel of property located at 343 Pea Ridge Road.

A motion was made by Mr. Garnett to take the item from the table. The motion was seconded by Mr. Cook and carried unanimously.

A motion was made by Mr. Jackson to adopt the summary. The motion was seconded by Mr. Mason and carried unanimously.

A motion was made to adopt findings of fact 1 through 6 of the staff report. The motion was seconded by Mr. Cook and carried unanimously.

A motion was made by Annie Metcalf to adopt findings of fact 8 & 10 of the staff report. The motion was seconded by David Garnett. The following voted in favor of the motion: Ms. Metcalf, Ms. Cross, Mr. Jackson, Mr. Garnett, Mr. Cook, Mr. Booe, Mr. Sanderson. The following voted against the motion: Mr. Lee, Mr. Mason, Mr. Stewart. The motion carried by a vote of 7-3.

A motion was made by Annie Metcalf to establish the finding of fact the Comprehensive Plan states the community should plan for an additional 1500 housing units for 2020. The motion was seconded by Ms. Cross. Those voting in favor of the motion: Ms. Metcalf, Ms. Cross, Mr. Jackson, Mr. Garnett, Mr. Cook, Mr. Sanderson. Those voting against the motion: Mr. Lee, Mr. Mason, Mr. Stewart, Mr. Booe. The motion carried by a vote of 6-4.

A motion was made by Annie Metcalf to establish the finding of fact the Comprehensive Plan states the community should plan for an addition 700 to 750 acres. The motion was seconded by Ms. Cross. Those voting in favor of the motion: Ms. Metcalf, Ms. Cross, Mr. Jackson, Mr. Garnett, Mr. Cook, Mr. Sanderson. Those voting against the motion: Mr. Lee, Mr. Mason, Mr. Stewart, Mr. Booe. The motion carried by a vote of 6-4.

A motion was made by Mr. Garnett that findings of fact cease. The motion was seconded by Mr. Mason and carried unanimously.

A motion was made by Mr. Garnett that based on findings 1-6 of the staff report and that the request is in agreement with the Comprehensive Plan the Commission recommend approval of the request to Fiscal Court. The motion was seconded by Mr. Mason. Those voting in favor: Mr. Lee, Mr. Mason, Mr. Stewart, Mr. Jackson, Mr. Garnett, Mr. Cook, Mr. Booe. Those voting against the motion: Ms. Metcalf, Ms. Cross, Mr. Sanderson. The motion carried by a vote of 7-3.

Mr. Garnett brought up old business dealing with attendance of meetings. He stated he had previously submitted two options dealing with absences. He stated he felt option 2 was the most legally solid. A motion was made by Mr. Garnett to amend the bylaws with option 2. The motion was seconded by Mr. Cook. Those voting in favor: Ms. Metcalf, Mr. Stewart, Ms. Cross, Mr. Jackson, Mr. Garnett, Mr. Cook, Mr. Sanderson. Those voting against: Mr. Lee, Mr. Mason, Mr. Booe. The motion carried by a vote of 7-3.

The first item of new business was a request, in accordance with Part 7, Section 7.10.00 of the County's Subdivision and Development Plan Regulations, Quest Engineers, Inc., on behalf of M&W, LLC., for the development referenced as Parkside Development, located at the southwest corner of the intersection of I-64 and Versailles Road is requesting a modification of standards to 1) Section 3.03.03 A – minimum right-of-way width; 2) Section 3.03.02 B – design requirements of the right-of-way; 3) 3.03.07 D – emergency vehicle access design requirements; 4) 3.03.09 A – access/driveway design standards; 5) Section 3.03.06 – sidewalks; and 6) Section 3.07.02 – street trees. These modifications are requested to allow (A) the proposed roadway referenced as Woodall Boulevard to be 80' wide rather than 104' wide to contain a design of the emergency access differently than depicted within the Code, to have a raised median at 8' in width rather than 16' in width, to have two inbound lanes at 12' in width rather than one at 14', and to have the required sidewalks and street trees outside of the right-of-way and within a 12' utility/sewer/planting easement; and (B) to allow the proposed roadway referenced as John David Drive to be 70' wide rather than 80' wide. The subject site has the PVA map # of 086-00-00-021.00.

Mr. Garnett stated the staff report states they don't have a traffic study. Mr. Gary Muller, City Planning Director, stated the traffic study was mailed to the Planning Commission's traffic consultant yesterday. He stated until the traffic report is reviewed it is difficult to determine what is needed. He added he can't approve the Preliminary Subdivision Plan until DOT approves it. Mr. Muller stated he needs all TRT comments to be satisfied. Mr. Garnett stated he felt the traffic report was needed. Mr. Muller stated it doesn't help him to help the applicant without the traffic study.

A motion was made by Mr. Garnett to table the request until they have the traffic report before them. The motion was seconded by Mr. Mason. Those voting in favor of the motion: Mr. Mason, Ms. Metcalf, Mr. Stewart, Ms. Cross, Mr. Jackson, Mr. Garnett, Mr. Cook, Mr. Sanderson. Those voting in opposition: Mr. Lee and Mr. Booe. The motion carried by a vote of 8-2.

The next item of business was a request, in accordance with Article 1, Section 1.08 of the County's Zoning Regulations, Quest Engineers, Inc., on behalf of M&W, LLC, for the development referenced as Parkside Development, located on the southwest corner of the intersection of I-64 and Versailles Road, is requesting a waiver from Article 9, Section 9.03 – Areas of Karst Topography, and Subsection 9.031 in order

to obtain approval to fill any and all sinkholes and therefore eliminating the required 50' setback. The subject site has the PVA map # of 086-00-00-021.00.

Mr. John Woodall was present for the applicant. He stated he also had Patric Madden, Jerry Woodall and Quest present to answer any questions. He stated they had received a letter from their geotech indicating there might be some sinkholes on the property. He stated the property was overgrown at one time and it might have looked like there were some sinkholes. He added that now they were not in a sink hole situation. He stated they had a geotech person look at the property in November to see if they were dealing with sinkholes. He stated they found solid rock in all the ditchbed with no crevasses. He stated they have a letter from a geotech person that there are no sinkhole issues. He stated they feel the sinkhole area is a moot issue. Mr. Garnett asked if they were withdrawing their request since there were no sinkholes now. Mr. Woodall stated they needed to see what the Commission would find. Mr. Jerry Woodall, of ATC, stated they were the company dealing with the sinkholes. He submitted pictures for the record. He stated he was the Senior Project Manager. He added two depressions were found and evaluated as if they were a sinkhole. He stated the first letter should have said "possible sinkholes". He stated they dug and found it to be smooth. He stated he had a degree in Civil Technology. Mr. Garnett stated there appeared to be confusion and conflict over which sinkhole areas were identified. Mr. Garnett stated the letter only mentioned one sinkhole and the power point plan showed two. Mr. Woodall stated it was staff's map that showed two sinkholes. Mr. Garnett stated there were several inconsistencies.

Mr. Keith Messenger of Quest was present and stated the letter was worded incorrectly but there were no sinkholes.

Gayle Holmes, 311 Stonehedge, stated she felt this was questionable and if there were no sinkholes what were we doing here. She asked if some were found and how were they filled. She stated this request stated they were going to get approval tonight to fill them.

Diana Looney was present and passed out an editorial dealing with sinkholes and drainage.

Richard Bell, 109 South Creek, stated since 1993 when Parkside started developing the creek has been running more water. He stated sinkholes help drainage and if they fill them up it increases surface run off through Two Creeks. He stated they have engaged Bennie Maffet to study the issues.

George Seay, Stoneleigh Drive, stated he was concerned about the flow and overflow of Slickaway Branch. He stated since 1991 they have been experiencing a dramatic increase in the flow of what is coming through his property. He stated they are concerned about the capping and filling of sinkholes. He stated during the last large rainfall a large 100 year old stone fence was blown out by the water.

Mr. Bennie Maffet stated he had been asked by Two Creeks Residents to speak for them. He asked if the drainage study needed to be revised if there were no depressions. He stated that was a concern. He stated they would have needed to show if there was a sinkhole or not when the drainage study was done. He stated he felt the drainage analysis should be rechecked. Mr. Maffet stated the property was surveyed in 1998 and there were depressions.

Mr. Garnett asked Mr. Muller if there were sinkholes out there. Mr. Muller stated according to the information presented by the applicant yes. Mr. Muller stated the GIS map showed there were two possible sinkholes. He stated the County Regulations require excavation tests. He stated he received a letter in October stating there were sinkholes. He stated he went to the site then and went back on December 6. He stated Rob Piacord met him on site and stated there was a sinkhole in the spring and it was filled. He stated Mr. Piacord stated they recently did some digging on a depression and it was not a sinkhole. He stated Mr. Piacord walked to Manhole 12 and stated there had never been a sinkhole there. Mr. Muller stated they had a sealed letter from ATC stating there was a sinkhole. He added he has received an e-mail stating there is not a sinkhole but it is not signed and sealed. Mr. Muller stated he felt the 50' setback should be met regardless of sinkhole capping. Mr. Booe asked if his review was done with the assumption that the property would drain correctly. Mr. Muller stated he doesn't review storm water calculations. Mr. Muller stated it was his opinion the drainage calculations did not take the sink holes into consideration. Mr. Logan stated this item should be table as more data was needed and there seemed to be a lot of information that was conflicting.

Mr. Woodall apologized for the confusion and requested the item be tabled. He stated they would get an independent expert and they would also work with Mrl. Maffet. He stated if there were sinkholes they would work around that.

Chairman Sanderson appointed the nominating committee of Sherron Jackson, David Garnett and Keith Lee. They are to have a recommendation at the January 18 meeting.

A motion was made by Mr. Jackson and seconded by Mr. Lee to adjourn. The motion carried unanimously.

Chairman

Recording Secretary